

BILL ANALYSIS

C.S.H.B. 318
By: Guillen
Intergovernmental Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that many rural counties face law enforcement staffing shortages, both in patrol deputies and investigators, and struggle to recruit and retain personnel due to budget constraints and low salaries. The bill author has also informed the committee that these shortages can lead to overburdened departments and diminished public safety and that rural counties with low deputy-to-resident and investigator-to-patrol ratios are in greater need of state support to address these shortages. C.S.H.B. 318 seeks to address this issue by establishing the rural sheriff's deputy shortage relief grant program and the rural sheriff's investigator shortage relief grant program.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the comptroller of public accounts in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 318 amends the Local Government Code to require the comptroller of public accounts to establish and administer the rural sheriff's deputy shortage relief grant program and the rural sheriff's investigator shortage relief grant program to support the state purpose of ensuring professional law enforcement throughout Texas by providing financial assistance to sheriff's departments in qualified counties, defined by the bill as a county with a population of 300,000 or less and for which on January 1, 2025, as applicable, the deputy-to-resident ratio is less than 15 to 10,000 or the investigator-to-patrol ratio is less than one to five. The bill defines the following:

- "deputy-to-resident ratio" as the ratio of the number of deputy sheriffs to the number of residents of the unincorporated areas of the county, as determined by the population estimates provided by the state demographer; and
- "investigator-to-patrol ratio" as the ratio of the number of deputy sheriffs who conduct case investigations in the routine performance of deputy duties to the number of deputy sheriffs who make motor vehicle stops in the routine performance of deputy duties.

C.S.H.B. 318 authorizes a qualified county, not later than the 30th day after the first day of the county's fiscal year, to submit an application for a grant to the comptroller. The county must indicate in the application the number of, as applicable, qualified deputy or investigator positions the county is requesting for inclusion in the determination of the amount of the respective grant for that fiscal year and the number for which the county is requesting additional funds. The bill

restricts a county to submitting only one application each fiscal year. The bill defines the following:

- for purposes of the rural sheriff's deputy shortage relief grant program, "qualified deputy position" as a deputy sheriff position in a qualified county that:
 - is held or will be held by a deputy sheriff who makes motor vehicle stops in the routine performance of the deputy's duties;
 - is in addition to a deputy sheriff position held in the county on January 1, 2025; and
 - when aggregated with each other qualified deputy position would result in a deputy-to-resident ratio of 15 to 10,000, determined as of January 1, 2025; and
- "qualified investigator position" as a deputy sheriff position in a qualified county that:
 - is held or will be held by a deputy sheriff who conducts case investigations in the routine performance of the deputy's duties;
 - is in addition to a deputy sheriff position held in the county on January 1, 2025; and
 - when aggregated with each other qualified investigator position would result in an investigator-to-patrol ratio of one to five, determined as of January 1, 2025.

C.S.H.B. 318 requires the comptroller to award an applicable grant to a qualified county that applies for the grant using money appropriated to the comptroller for that purpose. The grant must be in the following amount:

- \$50,000 for each qualified deputy or investigator position, as applicable, indicated by the county in the application for that fiscal year;
- an additional \$50,000 for each qualified deputy or investigator position, as applicable, indicated in the application for that fiscal year, unless the county has received a grant for that additional amount for that position in a preceding fiscal year;
- with respect to the rural sheriff's deputy shortage relief grant program:
 - \$50,000 for each qualified investigator position indicated by the county in the application for that fiscal year necessary for an investigator-to-patrol ratio, as defined by the bill, of one to five after filling the qualified deputy positions under the grant; and
 - \$35,000 for each qualified emergency dispatcher, defined by the bill as a person who provides communication support services for a sheriff's office by responding to requests for assistance in emergencies, indicated by the county in the application for that fiscal year; and
- with respect to the rural sheriff's investigator shortage relief grant program, \$35,000 for each qualified investigative support staff member, defined by the bill as a person who provides technical support services for a qualified investigator in the investigation of an offense, including a person who provides evidence testing or analysis services, indicated by the county in the application for that fiscal year.

With respect to a fiscal year of a qualified county that meets the aggregated deputy-to-resident ratio of 15 to 10,000 or the aggregated investigator-to-patrol ratio of one to five, as applicable, during a calendar year that begins on or after January 1, 2025, but before the calendar year in which the fiscal year begins, the bill makes the county ineligible to receive a grant for the fiscal year unless the county adopts a budget for the fiscal year that provides for the employment of a number of deputy sheriffs necessary to meet the deputy-to-resident ratio of at least 15 to 10,000 or the investigator-to-patrol ratio of at least one to five, as applicable, determined as of January 1 of the calendar year in which the fiscal year begins. With respect to a fiscal year of a qualified county for which the number of qualified deputy or investigator positions the county is otherwise entitled to receive a grant for is greater than the number of qualified deputy or investigator positions the county would be entitled to receive a grant for if the deputy-to-resident ratio of 15 to 10,000 or the investigator-to-patrol ratio of one to five, as applicable, is determined as of January 1 of the calendar year in which the fiscal year begins instead of January 1, 2025, the bill entitles the county to receive a grant only for the number of qualified deputy or investigator positions the county would be entitled to receive a grant for if the deputy-to-resident ratio of 15 to 10,000 or the investigator-to-patrol ratio of one to five is determined as of January 1 of the

calendar year in which the fiscal year begins instead of January 1, 2025. The bill caps the total dollar amount that may be awarded under the rural sheriff's deputy shortage relief grant program in a state fiscal year at \$100 million and caps the total dollar amount that may be awarded under the rural sheriff's investigator shortage relief grant program in a state fiscal year at \$50 million. If the total dollar amount of grants to which counties are entitled exceeds these respective caps in a state fiscal year, the comptroller must proportionally reduce the amount of each grant awarded so the respective caps are not exceeded.

C.S.H.B. 318 restricts the use of grant money, and the authorization of the use thereof, by a county that is awarded a grant to the following:

- the provision to each deputy sheriff who fills a qualified deputy or investigator position a minimum annual salary of at least \$45,000;
- the purchase of vehicles, firearms, investigative tools, and safety equipment for the use of a deputy sheriff who fills a qualified deputy or investigator position, as applicable;
- with respect to the rural sheriff's deputy shortage relief grant program:
 - the provision to each deputy sheriff who fills a qualified investigator position a minimum annual salary of at least \$45,000; and
 - the provision to each dispatcher who fills a qualified emergency dispatcher position a minimum annual salary of at least \$30,000; and
- with respect to the rural sheriff's investigator shortage relief grant program, the provision to each investigative support staff member who fills a qualified investigative support staff position a minimum annual salary of at least \$30,000.

The bill prohibits a county that is awarded a grant from doing the following:

- using or authorizing the use of the grant money for a purpose other than qualified deputy or investigator position minimum annual salaries until those salaries are satisfied; or
- reducing the sheriff's department budget for the county's fiscal year following the fiscal year in which the comptroller awards the grant.

C.S.H.B. 318 requires the comptroller to adopt rules necessary to implement the bill's grant programs, including rules that establish the following:

- a standardized application process, including the form to be used to apply for a grant and the manner of submitting the form;
- deadlines for the following:
 - applying for the grant;
 - disbursement of grant money; and
 - spending grant money;
- procedures for monitoring the disbursement of grant money to ensure compliance with the bill's provisions and for the return of grant money that was not used by a county for an authorized purpose; and
- standards to determine, as applicable, if an emergency dispatcher is a qualified emergency dispatcher or if an investigative support staff member is a qualified investigative support staff member.

C.S.H.B. 318 prohibits a qualified county from applying for a grant under the bill's provisions before January 1, 2026, and requires the comptroller to comply with the bill's requirements not later than January 1, 2026.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 318 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

With respect to a grant under the rural sheriff's deputy shortage relief grant program, the substitute provides for the following grant amounts which were not provided for in the introduced:

- \$50,000 for each qualified investigator position indicated by the county in the grant application for that fiscal year necessary for an investigator-to-patrol ratio of one to five after filling the qualified deputy positions under the grant; and
- \$35,000 for each qualified emergency dispatcher indicated by the county in the grant application for that fiscal year.

The substitute includes provisions, which were not included in the introduced, that provide for the conditional use of grant money for the following:

- the provision to each deputy sheriff who fills a qualified investigator position a minimum annual salary of at least \$45,000; and
- the provision to each dispatcher who fills a qualified emergency dispatcher position a minimum annual salary of at least \$30,000.

Accordingly, the substitute provides applicable definitions for "qualified investigator position" and "qualified emergency dispatcher" which were not provided for in the introduced.

With respect to a grant under the rural sheriff's investigator shortage relief grant program, the substitute provides for a grant amount of \$35,000 for each qualified investigative support staff member indicated by the county in the grant application for that fiscal year, whereas such grant amount was not provided for in the introduced. The substitute includes a provision, which was not included in the introduced, that provides for the conditional use of grant money for the provision to each investigative support staff member who fills a qualified investigative support staff position a minimum annual salary of at least \$30,000. Accordingly, the substitute provides an applicable definition for "qualified investigative support staff member" which was not present in the introduced. Whereas the introduced provided for an applicable investigator-to-patrol ratio threshold of one to three, the substitute provides for such a threshold of one to five.

While both the introduced and substitute require the comptroller to adopt rules to implement both grant programs, the substitute requires the comptroller to adopt rules that do the following, as applicable:

- establish standards to determine if an emergency dispatcher is a qualified emergency dispatcher for purposes of the rural sheriff's deputy shortage relief grant program; and
- establish standards to determine if an investigative support staff member is a qualified investigative support staff member for purposes of the rural sheriff's investigator shortage relief program.